

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Local Administration and Welfare Department

Notification

3-11-78/ADM/82/1402/82

The Regulations made by the Goa, Daman and Diu Housing Board under Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act No. 12 of 1968) regarding the allotment of sites/tenements, by the Housing Board sanctioned by Government vide letter No. 2-1/78/LAWD-Part II dated 24th June, 1982 are published hereunder for general information.

Gurudutt G. Sanzgiri, Chairman.

Panaji, 26th June, 1982.

GOA, DAMAN AND DIU HOUSING BOARD

(Regulations governing Registration, Allotment and Sale of Plots for construction of Residential Houses under the Housing Scheme)

In exercise of the powers conferred by Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968) and all other powers enabling it in this behalf, the Goa, Daman and Diu Housing Board with the previous approval of the Government and in supersession of all other regulations in this regard, hereby makes the following regulations, namely:—

1. **Short title and commencement.**—(1) These regulations may be called the Goa, Daman and Diu Housing Board (Registration, Allotment and sale of Plots) Regulations, 1982.

(2) They shall apply to the registration of intending purchasers of plots developed by the Goa, Daman and Diu Housing Board for construction of residential house/flat/bungalow.

(3) They shall come into force at once.

2. **Definitions.**—In these regulations, unless the context otherwise requires,—

(i) "Act" means the Goa, Daman and Diu Housing Board Act, 1968 (12 of 1968);

(ii) "Allotment Committee" means a Committee constituted under regulation 7 for the purpose of allotment of a plot under sub-section (1) of section 19 of the Act;

(iii) "allottee" means a person to whom allotment of a plot is made;

(iv) "applicant" means a person who has applied to the Board for a plot for the construction of a residential house/flat/bungalow under the Scheme specified in these regulations;

(v) "Blind and Physically Handicapped" means those who are blind or where permanent physical disability impairment of either upper or lower limb is 50% and above as certified by the competent authority of Goa Medical College.

(vi) "Board" means the Goa, Daman and Diu Housing Board;

(vii) "ex-servicemen and their dependents" means the former members of the armed forces of the Union not being persons who have ceased to be members of the armed forces as a result of their being duly dismissed or discharged after a Court Martial or as a result of desertion or who have been arrested;

(viii) "Family" in relation to applicant means the applicant and if married, wife or husband as the case may be, dependent brothers, unmarried sisters actually dependent upon applicant and widowed sisters if dependent on applicant;

(ix) "Form" means a form appended to these regulations;

(x) "Freedom Fighter" means a person who has been recognised as such by the Government;

(xi) "Government" means the Government of Goa, Daman and Diu;

(xii) "income" in relation to an allottee or applicant means the total annual income regularly derived by his/her family from occupation, trade, business, employment or any calling or source constituting normal means of livelihood.

Such income, however, shall not include, in the case of salaried members, the overtime allowances, bonus, provident fund, gratuity, medical reimbursement or travelling allowance, etc. drawn. The income will be determined with reference to the annual income for the financial/calendar year preceding the year in which the applications are invited;

(xiii) "Other Backward Classes" are those communities which have been notified as such by the Government from time to time;

(xiv) "Para-military Forces" include personnel of Border Security Force, Indo-Tibetan Police, Assam Rifles, etc. who have been killed or disabled or declared missing in 1962 Sino-Indian Conflict and 1965 and 1971 Indo-Pak Conflict or any other combat thereafter on production of a certificate from the Defence or similar Authorities, as the case may be;

(xv) "Plot" means a developed plot of land having specified dimension and boundaries allotted for the purpose of construction of a residential house/flat/bungalow;

(xvi) "Scheduled Castes" are those classes which have been notified as such under Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

(xvii) "Scheduled Tribes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968.

3. Conditions of eligibility.— (1) The applicant must be a domicile of the Union Territory of Goa, Daman and Diu with residency period of not less than ten years or a person whose parents or grand parents are of the origin of the Union Territory. Further the applicant shall not own or possess a tenement or plot under the Housing Board Scheme anywhere in the Union Territory of Goa, Daman and Diu.

(2) The applicant shall be entitled to fill in only one application form either in his or her own name or in the name of any other member of his or her family and to apply only in one of the category to which he or she may belong, namely either as a member of the general public or in any of the reserved categories specified hereunder;

(3) Only such classes of persons whose annual income exceeds Rs. 4,200/- but does not exceed Rs. 30,000/- shall be eligible to apply for registration:

Provided that the Board may dispose off plots by public auction in accordance with the procedure notified from time to time, in which case the ceiling limit of annual income of Rs. 30,000/- shall not apply for intending bidders.

(4) The applicant should have attained the age of majority at the time of application;

(5) No applicant shall be eligible for allotment of plot on the second occasion by the Board.

4. Reservation of plots.— (1) The reservation of plots for persons belonging to different categories shall be as under:—

(i) Scheduled Castes/Scheduled Tribes and other backward classes 2%

(ii) Freedom Fighters 1%
 (iii) Existing and ex-members of Parliament/M. L. As and ex-M. L. As 2%
 (iv) Ex-Servicemen including personnel of Para-military forces and widows of defence personnel killed in action, if any 1%
 (v) Blind and physically handicapped persons 1%

The minimum number of plots for each of the above reserved categories shall be one irrespective of the number of plots in the scheme.

(2) The Housing Board shall set apart 25% of the plots for sale by open auction on down cash basis.

Note: Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category.

5. Notice of Registration.— (1) The Board shall issue on advertisement in the form of a notice in the local newspapers with wide circulation inviting applications for registration of plots by such date which shall not be less than 30 days from the date of issue of the advertisement.

(2) The notice shall indicate the reserved percentage for Scheduled Castes/Scheduled Tribes/Other Backward Classes, M. L. A., ex-M. L. A., M. P., ex-M. P., Freedom fighters, ex-servicemen, and blind and physically handicapped and shall also specify the location, size, cost, eligibility etc., of plots available for allotment both for general and reserved categories as specified in regulation 4 and also the amount of initial deposit, subsequent amount payable, etc. and the particulars of the Co-operative Banks or Commercial Banks where the application forms, pamphlets and other relevant information may be obtained and where such application forms with chalangans are to be handed over. All applications along with one copy of the chalan in token of the necessary deposit made in Bank and so received by registered post with acknowledgement due shall be entertained by the Board. After receipt of such applications, each applicant shall receive a post card indicating a serial number allocated to his/her application. All applications from persons belonging to the Reserved category shall be superscribed as "Reserved" indicating the category on the cover and on the top of the application.

6. Application for Registration.— (1) The application for registration of a plot in pursuance of notice issued under regulation 5 above shall be in Form "I" and shall be subject to fulfilling the conditions of eligibility specified in regulation 3.

(2) The deposit payable shall be Rs. 5,000/- and shall bear simple interest at the rate of 5% per annum.

7. The Allotment Committee shall consist of the following:—

- (i) Housing Board Chairman — Chairman.
- (ii) Collector of Goa — Member.
- (iii) Secretary of Housing Board — Member.

The Allotment Committee may co-opt any one member from the Board.

8. Drawal of lots for the purpose of allotment. —

(1) Every application on receipt shall be given a serial number and shall be entered in the register alongwith the name of the applicant, address, income and occupational status. This serial number shall be communicated to the applicant by post card from the Board within seven days of receipt of the application.

(2) Within ten days after the expiry of the last date for receipt of applications, a draw shall be held, wherein all the serial numbers given to applications shall be fed into a draw/lottery machine for the purpose of determining the successful applicants.

(3) The 1st draw of serial numbers shall be equal to the number of plots/tenements to be allotted minus the percentage/number which is covered by reservation for Scheduled Caste/Scheduled Tribe other Backward classes existing and ex-M. Ps, M. L. As, ex-M. L. As, freedom fighters, blind and physically handicapped persons, ex-servicemen including para-Military Personnel and widows of Defence Personnel killed in action, if any. This shall form the first or main list.

(4) To cover the possibility of some applications in the first list being rejected on scrutiny, an equal number of serial numbers i.e. applications, shall be drawn and this shall comprise of the second or stand by list.

(5) All applications received from the Reserved percentage of persons, shall be kept separate, categorywise. Separate lots shall be drawn categorywise if sufficient applications are received. Otherwise all applications shall be considered for allotment, after scrutiny. The percentage quota under any category not applied for and hence not considered for allotment shall be added to the general pool.

(6) Thereafter, the Allotment Committee shall scrutinise the applications from the first list and for every application that is rejected, take up the topmost serial number/application from the second list as a substitute and scrutinise the same till the first list and corresponding total number of quota/tenements is exhausted. That is to say, if ten applications in the first list were rejected, these ten shall be substituted by the first ten or more serial numbers/applications in the second list after due scrutiny. Thereafter, the Allotment Committee shall scrutinise and keep ready (in the serial order of lots picked up) 10 to 15 or more applications from the standby list to adjust against an allotment in the event of some applicants from the main list withdrawing from the Scheme.

(7) The scrutiny shall as far as possible be held immediately after lots are drawn on the basis of the two lists. While the draw of lots for allotment may be a public function, the scrutiny by the Allotment Committee, which is to follow immediately thereafter, is to be in strict seclusion. Soon after the scrutiny, the eligible serial numbers (from the applications received and picked in the draw accordingly) shall be announced by display on the notice board at the venue where lots were drawn and on the premises of the Housing Board.

(8) On the working day following the announcement of the eligible numbers, these eligible serial numbers inclusive of those Reserved Categories (as per 5 above) shall be written on small bits of paper

and rolled up/crushed and put in a small drum or container. Any applicant or a child may start picking these paper bits from the container and the first serial number so picked up shall be allotted plot number 1 in that order till the entire allotment is complete.

(9) The reserved categories shall not maintain a separate identity in the final allotment of plots and that these serial numbers shall be merged with the rest. This final allotment indicating serial number of application and plot number allotted is to be published on the notice board and by announcement in the press. Within 30 days of publication of this final result, it will be separately announced that the present Scheme is closed and all applicants who did not get a plot/tenement may withdraw their deposit and that no waiting list etc., shall be maintained to accommodate them in future.

9. Allotment of Plots. — (1) After publication of allotment indicating serial number of the application and plot number allotted to the applicant, an offer of allotment shall be issued to him within a period of 8 days in Form II.

(2) On receipt of the offer of allotment, the allottee shall within a period of 15 days convey his or her acceptance of the plot in Form "III".

(3) The order of allotment of plot shall be issued in Form "IV" as and when the plot is ready for allotment.

(4) Failure to convey the acceptance within the period stipulated in clause (2) above the allotment shall be cancelled and 5% of the money deposited by the applicant shall be forfeited to the Board and the balance shall be refunded without any interest.

(5) The decision of the Chairman in the matter of allotment of the plots shall be final and binding on the allottees.

(6) The plot offered shall be on, as in where in basis and the allottee shall not have any right to complain or raise any objection about nature, condition or planning, etc., or to claim any damage or compensation on any account from the Board.

10. Cost calculation and construction of house, etc. — (1) The cost of the plot allotted shall be final and payment thereof made in one lumpsum within a period of 45 days of receipt of the order of allotment under the foregoing regulations. Delayed payment shall be subject to penal interest at such rate as may be decided by the Board.

(2) The allottee shall construct a house or flat or bungalow over the allotted plot within a period of three years from the date of allotment, failing which the plot shall be reverted to the Board and the cost refunded to the allottee without payment of any interest therefor.

Provided that the Board may, on an application made in this behalf and for reasons to be recorded in writing, extend the period to a maximum of 5 years.

(3) The allottee shall prepare the construction plans of the house/flat/bungalow, keeping in mind the aesthetic point of view, on the basis of ground coverage, control of height and roof, rather than

on the basis of Floor Area Ratio as prescribed for such area by the Board and obtain a "No Objection Certificate" from Board before submission of plans to the Municipal Council or the Village Panchayat, as the case may be.

(4) The construction of house/flat/bungalow shall be in accordance with the plans approved by the Municipal Council or the Village Panchayat, as the case may be, under the Rules and Regulations in force in the locality concerned.

(5) The allottee shall execute a conveyance deed towards the transfer of the allotted plot within 30 days of the construction of the house/flat/bungalow. Till such time as the conveyance deed is not executed, the allotment of plot shall for all intents and purposes, be allotment simplicitor for the purpose of construction of house.

11. Penalty for misrepresentation, suppression of facts or for breach or contravention of any of the conditions of the regulations. — If it is found at any stage that the applicant has given false information or has suppressed any material facts or has committed breach or contravened any of the conditions of these regulations the application shall be rejected and the allotment of plot if already made shall be liable for cancellation and the amount deposited or paid by the applicant towards registration, allotment or purchase of a plot shall be liable for forfeiture to the Board without prejudice to the right of the Board to take any other action under the laws in force.

12. Other Conditions. — (a) The powers to relax and or to amend any of the provisions of these regulations shall rest with the Government.

(b) The Board shall have the right to impose any terms and conditions not specifically covered by the aforesaid regulations, as may be decided in this behalf from time to time after obtaining prior concurrence of the Government.

(c) The Board may devise a special Scheme for allotment of plots to the Officers and other employees of the Board, Members of the Board, Journalists who are accredited to the Government and such other classes of persons as may be decided from time to time after obtaining prior concurrence of the Government.

13. Savings. — The repeal of the earlier regulations shall not affect:

(1) The operation of any scheme actually taken up under any of the earlier regulations or anything duly done or suffered thereunder, or

(2) Any right, Privilege, obligation or liabilities acquired, accrued or incurred under any earlier regulation, or

(3) Any penalty, forfeiture or punishment incurred in respect of any offence committed against any regulation, or

(4) Any investigation, prosecution, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, prosecution, legal proceedings or remedy may be instituted, continued or enforced and any such

penalty, forfeiture or punishment may be imposed as if this regulation had not been made.

Provided that anything done or any action taken including assessments or transfers made, orders, notices, warrants or proclamation issued or other records framed or confirmed, right acquired, liabilities incurred shall in so far as it is not inconsistent with the provisions of this Regulation be deemed to have been done or taken under the corresponding provisions of this Regulation and shall continue to be done accordingly unless and until superseded by anything done or action taken under this Regulation.

FORM I

Form of application for registration of plot

[See Regulation 6(1)]

1. Applicant's full name (in block letters):
2. Address:
 - (a) Permanent:
 - (b) Present:
3. Occupation:
 - (a) Name of the Establishment/Office:
 - (b) Nature of job on which employed, if any ...
4. Present pay including allowances: ...
 - (b) Total annual income of all the earning Members of the applicant's family for the last financial/calendar year (Certificate to be enclosed)
5. Category for which applied (Whether reserved, Certificate in proof to be enclosed)
6. Amount of deposit made (Whether by cash or pay order/demand draft No. ... Dated ... Challan No. ...)
7. Locality to which application relates: ...
8. Period of residency in the Union territory (Certificate to be attached)

I solemnly affirm and state:

- (a) I have satisfied myself that I fulfil the conditions laid down in Regulation 3 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982;
- (b) The statements made above are true to the best of my knowledge and belief;

(Applicant's signature)

FORM II

Offer of allotment

[See Regulation 9(3)]

In pursuance of Regulation 9(3) of Goa, Daman and Diu Housing Board (Regulation, Allotment and Sale of Plots) Regulations, 1982, Shri/Smt./Kum. ... Resident of ... is hereby offered plot No. ... admeasuring sq. mts. in land at ... under General/Reserved Category of ... at the cost of Rs. ... (Rupees ... only) as per calculation sheet attached.

2. The offer shall be subject to the condition that a sum of Rs. ... is deposited with the Board within a period of 45 days of the receipt of the order of allotment of the plots.

3. In terms of Regulation 9(4) of the aforesaid Regulations 1982 Shri/Smt./Kum. ... should convey his/her acceptance within a period of 15 days of receipt thereof failing which the offer will stand cancelled and 5% of the money deposited shall be forfeited to the Board and the balance refunded without any interest as provided in Clause (4) of Regulation 9 of the Regulation, 1982.

(Chairman)

FORM III

Intimation of acceptance of offer of allotment

[As prescribed in Regulation 9(2)]

To,
The Chairman,
Goa, Daman and Diu Housing Board,
2nd Floor, Junta House,
Panaji-Goa.

Sir/Madam,

With reference to your offer of allotment made under No. ... dated ... I hereby convey my acceptance of the plot unequivocally and without any reservation or any complaint on my part in respect of the said plot.

I hereby agree to abide by the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982 and the terms and conditions stipulated thereunder.

Yours faithfully,

()

FORM IV

Order of allotment

[See Regulation 9(5)]

In exercise of the powers conferred by Regulation 9(5) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations, 1982, Shri/Smt./Kum. ... is hereby allotted plot No. ... admeasuring ... sq. mts. in ... land at ... under General/Reserved Category of ...

Shri/Smt./Kum. ... should remit the cost of the plot within 45 days of the receipt of this order, as per calculation sheet appended to the offer of allotment made.

The allottee should report to this office for taking possession of the plot and for completion of other formalities after remission of the cost.

(Chairman)

FORM V

Affidavit

(Note: To be executed before a Competent Magistrate on a non-judicial stamp Paper of Rs. 2/-)

I, Shri/Smt./Kum. ... Son/Wife/Daughter of ... do hereby solemnly affirm and state as under:—

- 1) That I have applied for allotment of a plot in ... land at ... from the Goa, Daman and Diu Housing Board under General/Reserved Category of ...
- 2) That neither myself nor any other member of my family own a plot of land or any other dwelling unit or tenement under the Housing Board Scheme anywhere in the Union Territory of Goa, Daman and Diu.
- 3) That neither myself nor any other member of my family own more than one plot of land or dwelling unit in any other locality within the Union territory of Goa, Daman and Diu either on freehold or leasehold or on hire purchase basis.

I further affirm that what is stated hereinbefore is true to my own knowledge and belief and I know that to make a false affidavit is an offence.

Deponent.

GOA, DAMAN AND DIU HOUSING BOARD

(Regulations governing Registration, Allotment and Sale of Tenements constructed under any Housing Scheme)

In exercise of the powers conferred by Section 129 of the Goa, Daman and Diu Housing Board Act, 1968,

(Act 12 of 1968) and all other powers enabling it in this behalf, the Goa, Daman and Diu Housing Board with the previous approval of the Government and in supersession of all other regulations in this regard hereby makes the following regulations, namely:—

1. **Short title and commencement.**— (1) These regulations may be called the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982.

(2) They shall apply to the registration of intending purchasers of houses, flats and bungalows constructed by the Goa, Daman and Diu Housing Board under Low Income Group, Middle Income Group and Higher Income Group Schemes, Scheme for Economically Weaker Sections of the Society or under any other Scheme approved by the Government for the purposes of these regulations in the Union territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. **Definitions.**— In these regulations, unless the context otherwise requires:—

(i) "Act" means the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968);

(ii) "Allotment Committee" means a Committee constituted under regulation 7 for the purpose of allotment of a tenement under sub-section (i) of Section 19 of the Act;

(iii) "Allottee" means a person to whom allotment of a tenement is made;

(iv) "Applicant" means a person who has applied to the Board for allotment of a tenement under any of the Scheme specified in these regulations;

(v) "Blind and Physically handicapped" means those who are blind or whose permanent physical disability/impairment of either upper or lower limbs is 50% and above as certified by the competent authority of Goa Medical College;

(vi) "Board" means the Goa, Daman and Diu Housing Board;

(vii) "Economically Weaker Section of the Society" means such class of people whose monthly income does not exceed Rs. 350/- or such amount as may be notified by the Government from time to time;

(viii) "ex-servicemen" means the former members of the armed forces of the Union not being persons who have ceased to be members of the armed forces as a result of their being duly dismissed or discharged after a Court Martial or as a result of desertion or who have been arrested;

(ix) "Family" in relation to applicant means the applicant and if married, wife or husband as the case may be, dependent brothers, unmarried sisters actually dependent upon the applicant and widowed sisters if dependent on applicant;

(x) "Form" means a form appended to these regulations;

(xi) "Freedom Fighter" means a person who has been recognised as such by the Government;

(xii) "Government" means the Government of Goa, Daman and Diu;

(xiii) "Higher Income Group" means such class of persons whose annual income exceeds Rs. 18,000/- or such amount as may be notified by the Government from time to time;

(xiv) "Income" in relation to an allottee or applicant means the total annual income regularly derived by his or her family from occupation, trade, business, employment or any calling or source constituting normal means of livelihood. Such income, however, shall not include in the case of salaried members the overtime allowance, bonus, provident fund, gratuity, medical reimbursement or travelling allowances, etc. drawn. The income will be determined with reference to the annual income for the financial/calendar year preceding the year in which the applications are invited;

(xv) "Low Income Group" means such class of persons whose annual income does not exceed Rs. 7,200/- or such amount as may be notified by the Government from time to time;

(xvi) "Middle Income Group" means such class of persons whose annual income exceeds Rs. 7,200/- but does not exceed Rs. 18,000/- or such amount as may be notified by the Government from time to time;

(xvii) "Other Backward Classes" are those communities which have been notified as such by the Government from time to time;

(xviii) "Para military Forces" includes personnel of Border Security Force, Indo-Tibetan Police Force, Assam Rifles, etc., who have been killed or disabled or declared missing in 1962 Sino-Indian Conflict and 1965 and 1971 Indo-Pak Conflict or any other Combat thereafter and their families on production of a certificate from Defence or similar Authorities, as the case may be;

(xix) "Scheduled Castes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

(xx) "Scheduled Tribes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

(xxi) "Tenement" means a house, flat or a bungalow built by the Board or by Agencies entrusted by the Board.

3. Conditions of eligibility.— (1) The applicant must be a domicile of the Union territory of Goa, Daman and Diu with a residency period of not less than ten years or a person whose parents or grandparents are of the origin of the Union Territory. Further, the applicant should not own or possess a tenement or plot under the Housing Board Scheme anywhere in the Union territory of Goa, Daman and Diu.

(2) The applicant shall be entitled to fill in only one application form either in his or her own name or in the name of any other member of his or her family and to apply only in one category to which he or she may belong, namely, either as a member of the general public or in any of the reserved categories specified hereunder, and for the schemes to which he or she is entitled as per his or her declared income group.

(3) The applicant shall have attained the age of majority at the time of application.

(4) No applicant shall be eligible for allotment of a tenement on the second occasion by the Board.

4. Reservation of Tenements.— (1) The reservation of tenements for persons belonging to different categories shall be as under:—

(i) Scheduled Castes/Scheduled Tribes and Other Backward classes	2%
(ii) Existing and ex-members of Parliament/MLAs and ex-MLAs	2%
(iii) Freedom fighters	1%
(iv) ex-servicemen including personnel of Para-Military forces and widows of defence personnel killed in action, if any	1%
(v) Blind and physically handicapped persons	1%

The minimum number of tenements for each of the above reserved categories shall be one, irrespective of the number of tenements in the scheme.

(2) The Housing Board may place 10% of the tenements of the disposal of the Government, on payment, for allotments to Government servants.

(3) The eligibility criteria for the disposal of the remaining tenements shall be the income of the applicants who shall be categorised as follows:—

- (i) economically weaker sections.
- (ii) low income groups.
- (iii) middle income groups.
- (iv) higher income groups.

(4) The percentage of allotment amongst the aforesaid categories may be decided by the Board.

(a) Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category;

(b) The following income certificates may be considered admissible:—

- | | |
|--|--|
| (i) Higher income group and middle income group | income certificates from employer/copy of income-tax return/tax assessment order. |
| (ii) Low income group / economically weaker sections | income certificates from the employer or from any Revenue Authority prescribed to issue such certificate under the Rules in force. |

5. Notice of Registration.— (1) The Board shall issue an advertisement in the form of a notice in the local newspapers with wide circulation inviting applications for registration of tenements by such date which shall not be less than 30 days from the date of issue of the advertisement.

(ii) The notice shall include the reserved percentage for scheduled caste/scheduled tribe, other backward classes, M.L.As, ex-M.L.As, M.Ps. ex-M.Ps, Freedom Fighters, ex-servicemen and blind and physically handicapped and shall also specify the location, size, cost, eligibility, etc., of tenements avail-

able for allotment both for general and reserved categories as specified in regulation 4 and of the amount of initial deposit subsequent amount payable etc. and the particulars of the Co-operative Banks/Commercial Banks/where application form, pamphlets and other relevant information may be obtained and where such application form with chalangans are to be handed over. All applications alongwith one copy of the challan in token of the necessary deposit made in bank and so received by registered post with acknowledgement due shall be entertained by the Board. After receipt of such applications each applicant shall receive a post card indicating a serial number allocated to his/her application. All applications from persons belonging to the reserved categories shall be superscribed as "Reserved" indicating the category on the cover and on the top of the applications.

6. Applications for Registration. — (1) The application for registration of a tenement in pursuance of a notice issued under regulation 5 above shall be in Form "I" and shall be subject to fulfilling the conditions of eligibility specified in regulation 3.

(2) The deposit payable shall be Rs. 5,000/- for Low Income Group, Rs. 7,500/- for Middle Income Group, Rs. 10,000/- for Higher Income Group and Rs. 500/- for Economically Weaker Sections of Community. The deposit so made shall bear simple interest at the rate of 5% per annum.

Provided that in case of schemes financed with the assistance of HUDCO, the said deposit will be Rs. 500/- if the applicant belongs to the Middle Income Group, Rs. 250/- for Low Income Group and Rs. 100/- for Economically Weaker Sections of Community or as may be specified by HUDCO from time to time.

Explanation: "HUDCO" means the Housing and Urban Development Corporation of India Ltd.

7. Allotment Committee. — The Allotment Committee shall consist of the following:—

1. Housing Board Chairman — Chairman.
2. Collector of Goa — Member.
3. Secretary of the Housing Board — Member.

The Allotment Committee may co-opt any one Member from the Board.

8. Drawal of lots for the purpose of Allotment. —

(1) Every application on receipt shall be given a serial number and shall be entered in the register alongwith the name of the applicant, address, income and occupational status. This serial number shall be communicated by post card to the applicant by the Board within 7 days of receipt of the application.

(2) Within ten days after the expiry of the last date for the receipt of the application, a draw shall be held. Therein the serial numbers given to applications shall be fed into a draw/lottery machine.

(3) The 1st draw of serial numbers shall be equal to the number of tenements to be allotted minus the percentage/numbers which is covered by reservation for Scheduled Castes/Scheduled Tribes, Other Backward Classes, existing and ex-M.Ps., M.L.As., ex-M.L.As, Freedom Fighters, blind and physically handicapped persons, ex-servicemen including Para-Military Personnel and widows of Defence Personnel

killed in action, if any. This shall form the first or main list.

(4) To cover the possibility of some applications in the first list being rejected on scrutiny, an equal number of serial numbers, i.e. applications shall be drawn and this shall comprise of the second or stand-by list.

(5) All applications received from the Reserved percentage of persons, shall be kept separate, categorywise. Separate lots shall be drawn categorywise if sufficient applications are received. Otherwise all applications shall be considered for allotment, after scrutiny. The percentage quota under any category not applied for and hence not considered for allotment shall be added to the general pool.

(6) Thereafter, the Allotment Committee would scrutinise the applications from the first list and for every application that is rejected, take up the top most serial number/application from the second list as a substitute and scrutinise the same till the first list and corresponding total number of tenements is exhausted. That is to say, if 10 applications in the first list were rejected, these 10 shall be substituted by the first 10 or more serial numbers/applications in the second list after the scrutiny. Thereafter, the Allotment Committee shall scrutinise and keep ready (in the serial order of lots picked up) 10 to 15 or more applications from the stand-by list to adjust against an allotment in the event of some applicant from the main list, withdrawing from the scheme.

(7) The scrutiny shall as far as possible be held immediately after lots are drawn on the basis of two lists. While the draw of lots for allotment may be a public function, the scrutiny by the Allotment Committee which is to following immediately thereafter is to be in strict seclusion. Soon after the scrutiny, the eligible serial numbers (from the applications received and picked in the draw accordingly) shall be announced by display on the notice board at the venue where lots were drawn and on the premises of the Housing Board.

(8) On the working day following the day of announcement of the eligible serial numbers, these eligible serial numbers inclusive of those of the reserved categories as per (5) above shall be written on small bits of paper and rolled up/crushed and put in a small drum or a container. Any applicant or a child may start picking these paper bits from the container and the first serial number so picked up shall be allotted tenement No. 1 in that order till the entire allotment is complete.

(9) The reserved categories shall not maintain a separate identity in the final allotment of tenements and that these serial numbers shall be merged with the rest. This final allotment indicating serial number of application and tenement No. so allotted is to be published on the notice board and by announcement in the Press. Within 30 days of publication of this final result, it will be separately announced that the present scheme is closed and all applicants who did not get a tenement may withdraw their deposit and that no waiting list, etc. shall be maintained to accommodate them in future.

9. Allotment of tenements. — (1) After publication of allotment indicating serial number of the applica-

tion and tenement number allotted to the applicant, an offer of allotment shall be issued to him or her within a period of 8 days in Form "II".

(2) On receipt of the offer of allotment, the allottee shall within a period of 15 days convey his or her acceptance of the tenement in Form "III".

(3) The order of allotment of tenement shall be issued in Form IV as and when the tenement is ready for allotment.

(4) Failure to convey the acceptance within the period stipulated in clause (2) above, the allotment made shall be cancelled and 5% of the money deposited by the applicant shall be forfeited to the Board and the balance shall be refunded without any interest.

(5) The decision of the Chairman in the matter of allotment of the tenements shall be final and binding on the allottees.

10. Cost, calculation, etc. of Tenement. — (1) The cost of the tenement allotted shall be provisional in the first instance and shall be subject to variation after settlement of the account of the work.

(2) The allottee shall make payment within a period of 45 days of receipt of the order of allotment under the foregoing regulations. Delayed payment shall be subject to penal interest at such rate as may be decided by the Board.

(3) The mode of payment of the tenement allotted shall be either on outright purchase basis or on hire purchase basis of 10 to 20 years, as the case may be, depending upon the option exercised in the application form.

Provided that it shall be open for the allottee who has opted for hire purchase to pay the total cost earlier than otherwise due.

(4) The allotment of tenement on hire purchase basis shall be subject to execution of an agreement agreeing to buy the tenement on hire purchase basis, within a period of 15 days from the date of payment of 20% of the provisional cost after receipt of the order of allotment under the foregoing regulations.

(5) The tenement offered on hire purchase basis shall be subject to execution of hire purchase agreement on finalisation of the cost of the tenement. It shall also subject to payment of difference, if any in the 20% of the cost and payment of compound interest at such rate as may be fixed by the Board from time to time. The amount of equated monthly instalments will be worked out on the basis of the rate of interest so fixed.

(6) The allottee under hire purchase category shall punctually pay to the Board the whole of the equated monthly instalments on or before 10th of every month. Failure to pay by the due date, a penal interest at 6% shall be charged on the unpaid amount till it is paid. The minimum amount of penal interest collected shall not be less than a month's interest notwithstanding the period of default being less than a month.

(7) The hire purchaser shall not be entitled to sublet either the whole or any part of the tenement whatsoever.

11. Penalty for misrepresentation/suppression of facts or for breach of contravention of any of the conditions of the regulations. — If it is found at any stage that the applicant has given false information or has suppressed any material fact or has committed breach or contravened any of the conditions of these regulations, the application shall be rejected and the allotment of tenement if already made shall be liable for cancellation and the amount deposited or paid by the applicant towards registration, allotment or purchase of tenement shall be liable for forfeiture to the Board without prejudice to the right of the Board to take any other action under the law in force.

12. Other conditions. — (a) The powers to relax or to amend any of the provisions of these Regulations shall rest with the Government.

(b) The Board shall have the right to impose any terms and conditions not specifically covered by the aforesaid regulations, as may be decided in this behalf from time to time after obtaining prior concurrence of the Government.

(c) The Board may devise a special scheme for allotment of tenements to the officers and other employees of the Board, Members of the Board, Journalists, who are accredited to the Government and such other classes of persons as may be decided from time to time, after obtaining prior concurrence of the Government.

13. Savings. — The supersession of any earlier regulation shall not affect: —

(1) The operation of any of the schemes actually taken up under the earlier regulations or anything duly done or suffered thereunder; or

(2) Any right, privilege, obligation or liabilities actually acquired, accrued or incurred under any earlier regulations; or

(3) Any penalty, forfeiture or punishment actually declared in respect of any offence committed against any regulations; or

(4) Any investigation, prosecution, legal proceedings or remedy in respect of any such rights, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, prosecution, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this regulation had not been made:

Provided that anything done or any action taken including assessments or transfer made, orders, notices, warrants, or proclamation issued or other records framed or confirmed, right acquired, liabilities incurred shall in so far as it is not inconsistent with the provisions of this Regulation be deemed to have been done or taken under the corresponding provisions of this Regulation and shall continue to be done accordingly unless and until superseded by anything done or action taken under this Regulation.

FORM I

Form of application for Registration of a Tenement

[See Regulation 6(i)]

1. Applicant's full name (in block letters) ...
2. Address:
 - (a) Permanent: ...
 - (b) Present: ...

3. Occupation:
 - (a) Name of Establishment/Office:
 - (b) Nature of Job on which employed, if any:
4. (a) Present pay including allowances ...
 (b) Total annual income of all the earning member of the applicant's family for the last financial/calendar year (certificate to be enclosed):
5. Income Group to which the applicant belongs (Whether LIG, MIG, HIG or EWS)
6. Category for which applied (Whether reserved or general; if reserved certificate in proof to be enclosed)
7. Amount of deposit made (Whether by cash or pay order/ Demand draft No. Challan No.)
8. Mode of payment if tenement is allotted (Whether outright or hire purchase; if latter state period or repayment as either 10 or 20 years)
9. Locality to which application relates:
10. Period of residency in the Union Territory of Goa, Daman and Diu (certificate to be attached)

I solemnly affirm and state, ...

- (a) I have satisfied myself that I fulfil the conditions laid down in regulation 3 of the Goa, Daman and Diu Housing Board (Registration, Allotment and sale of tenements) Regulations, 1982.
- (b) The statements made are true to the best of my knowledge and belief.

Date: ...

(Applicant's signature)

FORM II

Offer of Allotment

[See Regulation 9(1)]

In pursuance of Regulation 9(1) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982, Shri/Smt./Kum. ... resident of ... is hereby offered tenements No. ... in ... Scheme ... at ... on basis under General/Reserved Category of ... at the provisional cost of Rs. ... (Rupees ... only) as per calculation sheet attached.

The offer shall be subject to the following conditions: —

- (1) The provisional cost of the tenement will be subject to revision after settlement of accounts of the work.
- (2) A sum of Rs. ... is deposited with the Board within period of 45 days of receipt of the order of allotment of the tenement as per calculation sheet.
- (3) In case the tenement is allotted on hire purchase basis is 20% of the cost after deducting the initial deposit made plus interest accrued thereon together with first instalment of Rs. ... shall be payable as per details furnished in the calculation sheet.

In terms of Regulation 9(1) of the aforesaid Regulations Shri/Smt./Kum. ... should convey his or her acceptance within a period of 15 days of receipt hereof failing which the offer shall stand cancelled and 5% of the money deposited shall be forfeited to the Board and the balance refunded without any interest as provided in Clause (4) of Regulation 9 of the Regulation, 1982.

(Chairman)

FORM III

Intimation of acceptance of offer of allotment [As prescribed in Regulation 9(2)]

To,

The Chairman,
Goa, Daman and Diu Housing Board,
2nd Floor, Junta House,
Panaji — Goa.

Sir/Madam,

With reference to your offer of allotment made under No. ... dated ... I hereby convey my acceptance of the tenement unequivocally and without any reservation or any complaint on my part in respect of the said tenement.

I hereby agree to abide by the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1982, and the terms and conditions stipulated thereunder.

Yours faithfully,

FORM IV

Order of allotment

[See Regulation 9(3)]

In exercise of the powers conferred by Regulation 9(3) of the Goa, Daman and Diu Housing Board (Registration, Allotment and sale of Tenements) Regulations 1982, Shri/Smt./Kum. ... is hereby allotted tenement No. ... in ... Scheme at ... on ... basis under General/Reserved Category of ...

Shri/Smt./Kum. should remit the cost of the tenement within 45 days of receipt of this order, as per calculation sheet appended to the offer of allotment made.

The allottee should report to this office for taking possession of the tenement and for completion of other formalities, after remission of the cost.

(Chairman)

FORM V

Affidavit

(Note: To be executed before a Competent Magistrate on a non-judicial stamp paper of Rs. 2/-).

I, Shri/Stm./Kum. ... son/daughter of ... do hereby solemnly affirm and state as under: —

- (a) That I have applied for allotment of a tenement in ... Scheme of the Goa, Daman and Diu Housing Board at ... on ... basis under General/Reserved Category of ...
- (b) That neither myself nor any other member of my family owns a residential house or plot or tenement under the Housing Board scheme anywhere in the Union territory of Goa, Daman and Diu ...
- (c) That neither myself nor any member of my family own more than one house/flat in any other locality within the Union territory of Goa, Daman and Diu either as free-hold or lease-hold or on hire purchase basis.

I, further affirm that what is stated hereinbefore is true to my knowledge and belief and I know that to make a false affidavit is an offence.

Deponent,